

## REMARKS

Reconsideration and re-examination of this application in view of the above amendments and the following remarks are respectfully requested. Claims 1, 6-8, 25, 30, 47, 52, 55, and 57-59 are being amended and claims 27-29, 49-51, 54, 56, 60, and 61 are being cancelled. Accordingly, after entering this amendment, claims 1-26, 30-48, 52, 53, 55, and 57-59 are pending in the application. Claims 1, 8, 30, 52, and 55 are the independent claims.

### *Objections to the Drawings*

The attached sheet of drawings includes changes to Fig. 10. Fig. 10 has been amended to designate the vertical axis by the reference numeral "343". Accordingly, withdrawal of the objections to the drawings is respectfully requested.

### *Objections to the Specification*

In the Office Action, the Examiner objected to the specification for various informalities. As indicated in the amendments above, the paragraphs identified by the Examiner have been corrected. In addition, claims 6 and 7 has been amended to provide proper antecedent basis for the claimed subject matter and to conform these claims with the specification.

Accordingly, withdrawal of the objections to the specification is respectfully requested.

*Rejections under 35 U.S.C § 112*

Claims 1-26, 30-48 and 56-59 have been rejected under 35 U.S.C §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In response:

Claim 1 has been amended to include the terms "upon sensing said" before the word "event" in step 1;

Claim 6 has been amended to indicate that the ALR is activated before the pre-tensioner so that claim 6 conforms with claim 1;

Claims 8, 30, and 52 have been amended to replace the terms "and/or" with the word "or";

Claims 25 and 47 have been amended for clarity; and

Claim 56 has been cancelled.

In view of the above, reconsideration and withdrawal of the rejections under 35 U.S.C. § 112 are respectfully requested.

*Further Claim Clarifications*

Before discussing the below references cited by the Examiner, it is believed a brief discussion of the current form of the independent claims (Claims 1, 8, 30, 52, and 55) is warranted. As recited in amended claims 1, 8, 30, 52, and 55, the claimed invention is directed at methods and apparatuses for controlling or managing different types of occupant restraints in a motor vehicle in a particular sequence. In particular, various embodiments all require activating an automatic locking restraint of a seat belt, activating a pre-tensioner of the seat belt after the activation of the

automatic locking restraint, and activating an air bag after the activation of the pre-tensioner.

*Rejections under 35 U.S.C § 102*

Claims 8, 30, and 52 under 35 USC §102(a) have been rejected as being anticipated by U.S. Patent No. 6,203,059 to Mazur et al. (Mazur). Claims 8, 9, 11, 12, 15, 30, 31, 33, 34, 37, 52, and 56-61 have been rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,341,252 to Foo et al (Foo). Claim 60 has been rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 3,740,711 to Bell (Bell).

Claims 56, 60, and 61 have been cancelled, and therefore the rejections of these claims are moot. As for the rejections of the other claims under 35 U.S.C § 102, we respectfully disagree.

As indicated above, amended claims 8, 30, and 52 all require activating different types of occupant restraints in a desired sequence. In particular, an automatic locking restraint of a seat belt is activated before a pre-tensioner of the belt and an air bag, and the pre-tensioner is activated before activating the air bag. Neither Mazur nor Foo discuss activating an automatic locking restraint, a pre-tensioner, and an air bag in this desired sequence. Thus, Mazur and Bell, alone or in combination, do not teach each and every limitation of amended claims 8, 30, and 52, and therefore the Examiner's rejections of these claims are unsupported by the art.

Since claims 9, 11, 12, 15, 31, 33, 34, 37, and 57-59 depend directly or indirectly from amended claims 8 or 30, the reasons for allowance of claims 8 and 30 apply as well to these dependent claims.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are respectfully requested.

*Rejections under 35 U.S.C § 103*

Claims 1-7 and 55 have been rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 5,552,986 issued Omura et al. (Omura) in view of U.S. Patent No. 5,338,063 to Takeuchi et al. (Takeuchi). Claims 10, 13, 14, 16, 25, 26, 32, 35, 36, 38, 47, and 48 have been rejected under 35 USC §103(a) as being unpatentable over Foo in view of Omura. Claims 27, 29, 49, 51, and 54 have been rejected under 35 USC §103(a) as being unpatentable over U.S. Patent No. 6,467,804 to Sakai et al. (Sakai) in view of U.S. Patent No. 6,243,632 to Oestreicher et al. (Oestreicher). Claims 18, 21-24, 40, and 43-46 have been rejected under 35 USC §103(a) as being unpatentable over Foo in view of Sakai. Claims 19, 20, 41, and 42 have been rejected under 35 USC §103(a) as being unpatentable over Foo in view of Sakai and further in view of Omura. Claims 17 and 39 have been rejected under 35 USC §103(a) as being unpatentable over Foo in view of Omura and further in view of Mazur. Claims 28 and 50 have been rejected under 35 USC §103(a) as being unpatentable over Sakai in view of Oestreicher and further in view of Omura. And claim 53 has been rejected under 35 USC §103(a) as being unpatentable over Mazur in view of Sakai.

Claims 27-29, 49-51, and 54 have been cancelled, and therefore the rejections of these claims are moot. As for the remaining claims rejected under 35 U.S.C. § 103, we respectfully disagree.

As indicated earlier, amended claims 1 and 55 both require the activation of an automatic locking restraint of a seat belt *before* the activation of a pre-tensioner of the belt and an air bag and the activation of the pre-tensioner before the activation of the air bag.

The Examiner refers to Omar's Figure 2 and contends that Omar teaches activating an automatic locking restraint (S5) before activating a pre-tensioner (S10). However, before step S10 occurs, Omar's process activates an earlier pre-tensioner and the automatic locking restraint *simultaneously*. This is explicitly stated at column 5, lines 19-26:

The first control circuit 13 produces the *first command signal . . . to retract the seat belt 2. . . . The first command signal is also applied to the belt clamping mechanism 14 which thereby locks the retractor 1 so as to prevent the seat belt 2 from being pulled out from the retractor 1.* (Emphasis added.)

Thus, Omar's process uses a single command signal to activate both a locking mechanism and a first pre-tensioner *at the same time*, contrary to the invention of amended claims 1 and 55, before activating the second pre-tensioner referred to by the Examiner. Accordingly, Omar teaches away from activating an automatic locking restraint of a seat belt *before* activating a pre-tensioner of the belt, as recited in amended claims 1 and 55.

As for Takeuchi, that reference neither discusses nor suggests an automatic locking restraint for a seat belt and therefore does not overcome the deficiencies of

Omura. Similarly, none of the other references cited by the Examiner overcomes the deficiencies of Omura. Therefore, Omura, alone or in combination with Takeuchi, cannot render claims 1 and 55 of the present invention as obvious.

Because the other pending claims (Claims 2-7, 10, 13, 14, 16-26, 32, 35, 36, 38-48, and 53) rejected under 35 U.S.C. § 103 depend from claims 1 or 55, the reasons for allowance of claims 1 and 55 apply as well to these dependent claims.

Accordingly, reconsideration and withdrawal of the rejections under 35 § 103 are respectfully requested.

### CONCLUSION

In view of the above amendments and remarks, it is respectfully submitted that the present form of the pending claims (Claims 1-26, 30-48, 52, 53, 55, and 57-59) are now in condition for allowance. If the Examiner believes that personal contact would be advantageous to the disposition of this case, please contact the undersigned Attorney at the earliest convenience of the Examiner.

Respectfully submitted,

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Attachment: Replacement Sheet